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PROCEEDINGS OF THE CONFERENCE ON THE
REFORM OF THE CRIMINAL LAW AND
PROCEDURE HELD IN NEW YORK
MAY 12 AND 13, 1911

The spring meeting of the Academy of Political Science held in New York on May 12 and 13, 1911, was made the occasion of a conference on the Reform of the Criminal Law and Procedure. In calling this conference the Academy coöperated with the American Institute of Criminal Law and Criminology, the Committee on the Reform of the Law of the Association of the Bar of the City of New York, the New York County Lawyers' Association, the Committee on Criminal Courts of the Charity Organization Society in the City of New York, and the Prison Association of New York. Three sessions were held at Earl Hall, Columbia University. The program was as follows:

FIRST SESSION, FRIDAY, MAY 12

Powers and Importance of the Magistrates' Court, by Alfred R. Page
The Difficulties of Extradition, by John Bassett Moore
Discussion

SECOND SESSION, SATURDAY, MAY 12

What is Crime? by William M. Ivins
The Relation of the Criminal to Society, by Franklin H. Giddings
The State and the Child, by Julian W. Mack.
The Effects of the Twice-in-Jeopardy Principle in Criminal Trials,
by Charles C. Nott, jr.
The Contrast between the Problem of Criminal-Law Reform in England and in America, by Edwin R. Keedy
Discussion

THIRD SESSION, SATURDAY, MAY 13

Expert Evidence in Criminal Trials, by Carlos F. MacDonald
The Consequences of Unenforceable Legislation, by Howard S. Gans
The Ethics of Punishment, by Felix Adler
Responsibility for Crime by Corporations, by Arthur W. Machen, jr.
Discussion

Professor George W. Kirchwey presided at the first session, and Professor Samuel McCune Lindsay at the second and third sessions.

FORMATION OF THE NEW YORK SOCIETY OF CRIMINAL LAW AND CRIMINOLOGY

At the opening session of the conference, Professor George W. Kirchwey, Chairman, announced a meeting to be held on the evening of May 12 at the Bar Association, for the formation of a New York state branch of the American Institute of Criminal Law and Criminology. At this meeting it was decided to refer the matter back to the full conference for action.

At the third session of the conference, Professor Kirchwey accordingly introduced the following resolutions, which were unanimously adopted :

Resolved, That this conference do now constitute itself the New York Society of Criminal Law and Criminology, to constitute the New York state branch of the American Institute of Criminal Law and Criminology.

Resolved, That the executive committee of this conference be and is hereby chosen to be the first board of directors of the society for the following purposes, *viz* :

First, to effect the incorporation of the society under the laws of the state of New York, and

Second, to carry on the society and administer its affairs until such board shall be succeeded by the board of directors instituted by its articles of incorporation.

Resolved, That any member of this conference may become a charter member of the society on payment of the membership fee.

The New York Society of Criminal Law and Criminology was thus duly constituted, and one of the important ends of the conference was achieved.

The Executive Committee consisted of the following persons: George W. Kirchwey, Chairman; George Gordon Battle, Edward T. Devine, Howard S. Gans, William M. Ivins, O. F. Lewis, Samuel McCune Lindsay, Carlos F. MacDonald, Julius M. Mayer, Henry Raymond Mussey, Eugene A. Philbin,

Eugene Smith, Henry W. Taft, Charles S. Whitman, Bronson Winthrop.

For resolutions offered by Dr. MacDonald and referred to this committee, see pp. 658-659.

CONFERENCE DINNER

The Conference Dinner was held at the Hotel Astor on Saturday evening, May 13, Mr. William M. Ivins presiding. William Howard Taft, President of the United States, was the guest of honor. Addresses were delivered by President Taft, Professor George W. Kirchwey, of Columbia University, Mr. Francis J. Heney, of San Francisco, and Mr. Nathan William MacChesney, of Chicago. Hon. Henry L. Stimson, the newly appointed secretary of war, was also called on for a brief extemporaneous address.

The papers read at the sessions are printed elsewhere in this volume (see pp. 531, 559, 563, 590, 600, 625, 635, 641, 660, 667 and 676). The discussions and the addresses at the dinner are found in the following pages, excepting the address of President Taft, which is printed at page 620.

DISCUSSIONS AT THE CONFERENCE

HON. JOSEPH E. CORRIGAN, City Magistrate, New York City:

It would perhaps be well to point out certain fairly obvious things in reference to the police department. Everyone realizes that the policeman is the official defender of society against the underworld, against the crook; and everyone must realize that in the constant warfare going on between them it is therefore necessary to the interest of society to make their soldiers, or their defenders, as efficient as possible and to have the best possible administration of the police force.

There are some who hold that the entire function of the police force is to maintain outward order and decency, and that it makes little difference, apparently, what goes on behind locked doors, so long as the condition of the streets is not disturbed. That, perhaps, might well be the function of the uniformed force; but the function of the detective bureau should be to prevent all kinds of crime being committed behind locked doors.